

## **REMARKS**

Claims 1-3 and 5-34 are pending in the application. Claims 1-3 and 5-34 stand rejected. Applicants herein amend claims 1-3, 5-6, and 31-34. No new matter has been added. Applicants request further review and examination in view of amendments and following remarks.

### ***Claim Rejections – 35 USC § 101***

Claims 1-3, 5, 6, and 31-34 stand rejected as allegedly directed towards non-statutory subject matter. Without conceding the propriety of the rejections Applicants have amended claims 1-3, 5, 6, and 31-34 and respectfully submit that the rejections are overcome.

### ***Claim Rejections – 35 USC § 103***

Claims 1, 2, 7, 17, and 21 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2003/0093500 to Khodabakhchian in view of U.S. Patent Application Publication No. 2005/0086297 to Hinks. Claims 1, 2, 5-10, 12-24, and 26-34 stand rejected under 35 U.S.C. § 103(a) over Khodabakhchian in view of U.S. Patent Application Publication No. 2005/0027559 to Rajan. Claims 3, 11, and 25 stand rejected under 35 U.S.C. § 103(a) over Khodabakhchian in view Rajan, and further in view of U.S. Patent Application Publication No. 2002/0111996 to Jones. Applicants traverse these rejections.

#### **Claim 1**

Applicants respectfully submit that the art of record fails to teach or suggest at least an “instance further configured to process the response using the response processing code and handle exceptions using the exception handling code within the instance.” The Office Action admits that Khodabakhchian fails to teach or suggest such subject matter and turned to Rajan and Hinks. Applicants submit that both Rajan and Hinks fail to teach such subject matter and therefore the Examiner has not established a *prima facie* case of obviousness. The Office Action states that the subject matter above is shown by paragraph [0096] of Hinks. Hinks describes a business process engine (BPE) (118) that can “orchestrate business

processes written in IBM's Business Process Execution Language (BPEL)." (Hinks at [0028]). The BPEL instances can be associated with messages 112. (Hicks at [0092]). The BPE can broadcast a single message to multiple recipients and the messages 112 can include catch block code. (Hicks at [0096]). Applicants submit that the cited portion of Hicks explicitly states that the catch code is stored in the message 112 and not in the BPEL instance. This fails to show an "instance further configured to process the response using the response processing code and handle exceptions using the exception handling code within the instance." Rajan additionally fails to teach such subject matter. The cited portion of Rajan states that "[t]he BFW 112 has an advanced error-handling system. The BFW 112 error-handling system not only catches errors in production operation, but also catches them in development." (Rajan at [0094]). The BFW is a business framework which provide supporting structure and services to business objects. (Rajan at [0072]). Applicants submit that there is no discussion as to whether the BFW's error handling system is located within an instance of an automated business process. In fact, Rajan fails to describe an instance of an automated business process whatsoever an instead describes providing services for business objects. Accordingly, since the art of record fails to teach or suggest the subject matter of claim 1 Applicants respectfully request reconsideration of the rejection of claim 1.

Insomuch as claims 2, 3, 5, and 6 depend directly from claim 1 they too define over the cited art for similar reasons described above with respect to claim 1. Accordingly, Applicants respectfully request reconsideration of the rejections of claims 2, 3, 5, and 6.

Independent claims 7, 17, 21, and 31 include similar limitations to those in claim 7 and patentably define over the art of record for at least the reason described above with respect to claim 7. Accordingly, Applicants respectfully request reconsideration of the rejection of claims 17, 21, and 31.

Insomuch as claims 8 – 16, 18 – 20, 22-30, and 32-34 depend directly or indirectly from claims 7, 17, 21, or 31 they too patentably define over the cited art for at least similar reasons as claim 1. Accordingly, Applicants respectfully request reconsideration of the rejections of claims 8-16, 18 – 20, 22-30, and 32-34.

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**PATENT**

### **CONCLUSION**

Applicants request the Examiner reconsider the rejections and issue a Notice of Allowance of all the claims.

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